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7 LARRY BAILEY,
8 Plaintiff,
9 v.
10 JOHN DOE,
11 Defendant.

12 Case No. 13-cv-04967-WHO (PR)
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ORDER OF DISMISSAL

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16 Plaintiff has failed to comply with the Court's order to (1) file a complete
17 application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$350.00.
18 He has also failed to file a complaint. Accordingly, the action is DISMISSED without
19 prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed.
20 R. Civ. P. 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen
21 the action. Any such motion **must** contain (1) a complete IFP application, or full payment
22 for the \$350.00 filing fee, **and** (2) a complaint. The Clerk shall enter judgment in favor of
23 defendant, and close the file.

24 **IT IS SO ORDERED.**

25 **Dated:** December 6, 2013

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28 WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

LARRY BAILEY,

Case Number: CV13-04967 WHO

Plaintiff,

CERTIFICATE OF SERVICE

v.

CALIFORNIA STATE PRISON CORCORAN
et al,

Defendant.

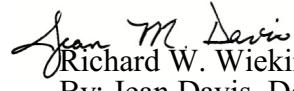
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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 6, 2013, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail.

Larry Bailey AN 9302
Corcoran State Prison
P O Box 5248
Corcoran, CA 93212

Dated: December 6, 2013


Richard W. Wiking, Clerk
By: Jean Davis, Deputy Clerk